

Remarks

Scheme I, appearing on page 83, lines 7-8 of the specification, has been amended by replacing the structure of the dibenzosuberane of formula (3) with the structure of the dibenzosuberone of formula (10). Similarly, the description of step B of Scheme I, appearing on page 84, lines 1-8, has been amended by replacing the word "dibenzosuberane" with the word "dibenzosuberone". These amendments have been made in order to correct an obvious mistake that will be appreciated by one of skill in the art. Basis for the correct structure of formula (10) appears on page 97, Scheme VII and the description that follows beginning at line 4. In addition, Preparation 1, Step A which appears on page 146 of the specification, provides explicit support for this amendment to Scheme I and the corresponding description at lines 21-24 of page 146.

Original Claims 1-121 have been cancelled without prejudice to the filing of continuation applications for unclaimed subject matter, and new Claims 122-137 have been substituted therefore. It is believed that basis exists in either the claims or the specification for each of the amendments provided herein and, therefore, the present amendments do not encompass new matter.

For example, basis for newly submitted Claim 122 may be found explicitly or implicitly through multiple dependency at claims 39, 42, 43, 61, and 65 and at pages 56-61 of the specification. Basis for new Claims 123 and 124 may, likewise, be found explicitly or implicitly at page 60 of the specification. Basis for new Claim 125 may be found at original Claim 62, whereas basis for newly submitted Claim 126 may similarly be found at original Claim 63. Basis for newly submitted Claims 127-129 may be in original Claims 66-68. Newly submitted Claims 130 and 131 find basis in original Claims 70-77, 79, and 81-87. Basis for newly submitted Claims 132 and 133 may be found in the specification at pages 14-15 and in original Claim 120 as well as the provisions mentioned above that provide basis for the scope of new Claim 122. Finally, basis for newly submitted Claims 134-137 may be found in the specification at page 56 (lines 1-4), original Claims 115-117 and those provisions of the specification mentioned above that provide basis for the scope of new Claim 122.

As a means of limiting the pending issues and expediting prosecution, Applicants also

wish to address the specific references cited in the International Search Report (ISR). In the report, several references are cited as novelty destroying references, however, as explained herein, it is Applicants view that this conclusion has been obviated in view of the amendments proposed herein. Regarding the cited documents, each of the compounds cited in D2 – D7, D10 – D14, and D17 – D18 contains a “heterocycle” moiety at the ring “C” position, which moiety is expressly excluded by the presently amended claims. Regarding the compounds cited in D8 and D9, those compounds encompass unsubstituted or chloro-substituted phenyl moieties at the ring “C” position, which are explicitly excluded from the claims as presently amended. Finally, regarding the compounds cited in D15 and D16, those compounds contain a COR moiety at R8 (wherein R = H or alkyl) or contain a -CH₂-N-bridge at -X – Y-, which moieties are again explicitly excluded from the claims as presently amended.

Respectfully submitted,



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